IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
THURSDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE D.S.R.VARMA
WRIT PETITION NO : 7125 of 1994

Between:
The Management, Moti Mahal Talkies,
Sanga Reddy, Medak District, represented by
Shri Deepak Kumar, S/O. Shri Prabhu Dayal,
Aged 22 years, R/o. Sanga Reddy.

..... PETITIONER

AND
1.Authority under Section 48 (1) of the A.P.Shops &
Establishments Act, 1988, and the Assistant Commissioner
of Labour, Sanga Reddy, Medak District.
2. Appellate Authority under Section 48 (3) of the Shops &
Establishments Act, 1988, and Deputy Commissioner of Labour,
Ranga Reddy District Zone.
3. Sri Salam Bim Ahmed, S/o. Ahmed Bin Omer,
C/o. Medak District Cinema Theatres Employees Union,
“House of Labour”, King Kothi Road,
Hyderabad, Andhra Pradesh.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction in the nature of mandamus or otherwise, declaring the order of the 1st respondent in I.A.No.S.E.2233/A/93, dated 15th March, 1994, as illegal, arbitrary and ultra vires his powers under the Shops & Establishments Act, and consequently direct the 1st respondent to recover the said deposited amount of Rs.20,800/- from the 3rd respondent and pay the same to the petitioner with interest thereon at 18% per annum and be pleased to pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.

For the Petitioner: MR.VILAS V.AFZULPURKAR, ADVOCATE.

For the Respondents 1 & 2: GP FOR SOCIAL WELFARE & LABOUR

For the Respondent No.3: None appeared.

The Court Made the Following:

ORAL ORDER:

The learned counsel for the petitioner submits that the cause in this writ petition has become infructuous.

Recording the submission made by the learned counsel for the petitioner, the writ petition is dismissed as having become infructuous. However, there shall be no order as to costs.

17TH JUNE 2004

KRK

To:

1.Authority under Section 48 (1) of the A.P.Shops & Establishments Act, 1988, and the Assistant Commissioner of Labour, Sanga Reddy, Medak District.
2. Appellate Authority under Section 48 (3) of the Shops & Establishments Act, 1988, and Deputy Commissioner of Labour, Ranga Reddy District Zone.
3. 2 CCs to learned Government Pleader for Social Welfare & Labour, High Court Buildings, Hyderabad (OUT).
4. 2 C.D. copies.
5. One spare.